

Remarks

Claims 1-2, 4-6, 9-10, 14-15, and 19-39 are sought to be reconsidered, with claims 1, 5 and 35-39 being the independent claims. Claims 1-2, 5, 8, 14, 15, and 19-20 are sought to be amended for clarity. Claims 4, 7, 11-13, and 16-18 are sought to be cancelled without prejudice of disclaimer of the subject matter therein. Applicants reserve the right to prosecute similar or broader claims, with respect to the cancelled or amended claims, in the future. New claims 21-39 are sought to be entered.

The amendments and new claims are supported, for example, in Figures 4 and 5, and related text on pages 18-26.

As no new matter has been entered, the Examiner is respectfully requested to enter these amendments.

Based on the amendments and remarks, the Applicants respectfully request that the Examiner reconsider all outstanding rejections, that all outstanding rejections be withdrawn, and that all pending claims be passed to allowance.

Rejection under 35 U.S.C. § 103

On page 2 of the final Office Action, the Examiner rejects claims 1-20 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,623,600 to Ji *et al* ("Ji") in view of U.S. Patent No. 5,440,723 to Arnold *et al* ("Arnold"). Applicants traverse this rejection.

Claims 1 and 5 recite features that distinguish over the applied references. For example, "the model being maintained and updated to reflect any changes to the second computer" as recited in claim 1 or "the model configured to be maintained and updated to reflect any changes to the second one of the first and second computers," as recited in claim 5.

In the final Office Action at pages 2-3, the Advisory Action, and pages 3 and 9 of the Examiner's Answer, the Examiner relies on Arnold to teach or suggest what is alleged to be a relevant teaching with respect to "a model," as recited in claims 1 and 5.

As stated in the final Office Action and the Examiner's Amendment, the cited portion of Arnold at col. 8, lines 28-31 teaches:

simulation of marked viral code in a virtual machine wherein the virtual machine includes hardware and software model of the computer or class of computer for which the virus signature is being obtained.

However, neither this portion nor any other portion of Arnold teach or suggest at least, as recited in claim 1:

the model being maintained and updated to reflect any changes to the second computer.

Nor does this portion or any other portion of Arnold teach or suggest at least, as recited in claim 5:

the model configured to be maintained and updated to reflect any changes to the second one of the first and second computers.

Throughout the final Office Action and Examiner's Answer, the Examiner has repeatedly stated Ji does not teach or suggest "a model," as recited in claims 1 and 5, and rather relies on Arnold to teach or suggest "a model," as recited in claim 1 and 5. Thus, Ji cannot remedy the deficiencies of Arnold. Therefore, the applied references cannot be used to establish a *prima facie* case of obviousness for at least the above-noted distinguishing features recited in claims 1 and 5.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection, and find claims 1 and 5 allowable over the applied references.

Also, at least based on their respective dependencies to claims 1 and 5, claims 2, 4, 6, 9-10, 14-15, and 19-34 should be found allowable over the applied references, as well as for their additional distinguishing features.

For example, claims 21-24 recite features that distinguish from the applied references, such as the screening result being a version of the computer data. None of the applied references teach or suggest at least these respective additional distinguishing features.

Also, for example, claims 28-30 recited features that distinguish from the applied references, such as various methods to allow for the maintaining and updating of the model. None of the applied references teach or suggest at least these respective additional distinguishing features.

New Claims 35, 36, 37, 38, and 39

New claims 35-39 recite similar distinguishing features, using respective language, as at least the above-noted distinguishing features of claims 1 and 5.

For example, claim 35 recites “maintaining and updating the model to reflect any changes to the second computer,” claim 36 recites “the means for receiving being configured as a model of a second computer and being configured to maintain and update for any changes to the second computer,” claim 37 recites “a memory storing instructions that cause the processor to...maintain and update the model to reflect any changes to the second computer,” claim 38 recites “causing the intermediary node to be maintained and updated to reflect any changes to the second computer,” and claim 39 recites “maintaining a model of a destination computer.”

Therefore, for at least the same reasons as discussed above for claims 1 and 5, as well as for their own additional distinguishing features, claims 35-39 should be found allowable.

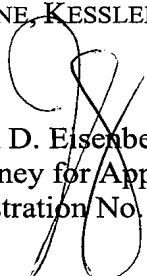
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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